

## Section 3-900

### CLI - Commercial Light Industry.

- 3-901 Purpose.** The purpose of the CLI district is to accommodate a mix of similar and compatible office and industrial uses, and related supportive commercial retail and service uses along the Route 50/John Mosby Highway Corridor. The CLI district shall have limited traffic and aesthetic impacts on surrounding properties and on supporting public facilities and utilities. The CLI district is intended to generate development through the use of creative design that will enhance the character of the surrounding area and contribute to the development of a distinctive gateway along the Route 50 corridor. The district may allow tourist supportive uses to serve visitors and maximize on opportunities afforded by its proximity to the Air and Space Museum.
- 3-902 Size and Location.** The CLI district is mapped only along the eastern end of Route 50 as depicted on the Zoning Map. The rezoning of land to CLI in other areas of the County shall not be permitted.
- 3-903 Permitted Uses.** The following uses shall be permitted in the CLI district subject to the requirements and performance criteria of these regulations:
- (A) Adult day care facility, pursuant to Section 3-907(F).
  - (B) Animal hospital.
  - (C) Bakery, commercial.
  - (D) Business service establishment, pursuant to Section 3-907(F) and Section 6-661.
  - (E) Child care center, pursuant to Section 5-609(B) and Section 3-907(F).
  - (F) Church, synagogue and temple.
  - (G) Conference or training center, pursuant to Section 3-907(F).
  - (H) Dwelling, existing, single family, accessory to permitted or special exception uses.
  - (I) Educational institution, pursuant to Section 3-907(F).
  - (J) Establishments for assembly, fabrication, processing, production and/or manufacturing of goods or products, pursuant to Section 3-907(~~HJ~~).
  - (K) Fire and/or rescue station.

- (L) Flex industrial uses, pursuant to Section 5-608.
- (M) Funeral home or mortuary.
- (N) Health and fitness center, pursuant to Section 3-907(F).
- (O) Hotel/Motel, 75 rooms or greater, pursuant to Section 5-611 and Section 3-907(F).
- (P) Mass transit facilities.
- (Q) Medical care facility, outpatient only, pursuant to Section 3-907(F).
- (R) Nursery, commercial, pursuant to Section 5-605.-
- (S) Office, administrative, medical, business and professional, pursuant to Section 3-907(F).
- (T) Park, public.
- (U) Police Station.
- (V) Post office, drop off and pick up.
- (W) Postal service, including overnight mail distribution facility.
- (X) Printing service.
- (Y) Public utility service center, without outdoor storage.
- (Z) Research, experimental, testing or development activities.
- (AA) Sewer pumping station.
- (BB) Telecommunications antenna, pursuant to Section 5-618(A).
- (CC) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (DD) Utility substation, dedicated.
- (EE) Utility substation, distribution, pursuant to Section 5-616.
- (FF) Veterinary service.
- (GG) Warehousing facility.
- (HH) Water pumping station.

- (II) Wholesale trade establishment, pursuant to Section 5-663.
- (JJ) Facility for lessons in dance, gymnastics, judo and sports training.

(KK) Data center, pursuant to Section 5-664 (ZOAM 2013-0003).

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~~(KK)~~(LL) Kennel, indoor, pursuant to Section 5-606 and 3-907(F).

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(MM) Convention or exhibition facility, 25,000 sq. ft. or less and no direct access to Route 50.

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(NN) Auxiliary uses, pursuant to Section 3-907(O).

(OO) Accessory uses, pursuant to Section 3-907(E).

(PP) Museum or Exhibition Facility, with no direct access to Route 50.

~~(LL)~~(QQ) Antique Shop; Art Gallery, pursuant to Section 5-650(B)(1) and (2), and 3-907(F), with no outdoor storage.

(RR) Banquet/Event Facility, 25,000 sq. ft. or less and no direct access to Route 50.

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### 3-904

**Special Exception Uses.** The following uses may be permitted by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300. In addition, the uses listed below shall be developed in accordance with Section 3-907(F) and all other applicable performance criteria.

- (A) ~~Art Gallery.~~
- (B) Automotive Service Station.
- (C) Bank or Financial Institution, pursuant to Section 5-659.
- (D) Convenience food store with or without gas pumps.
- (E) Convention or Exhibition Facility, in excess of 25,000 sq. ft. and no direct access to Route 50
- (F) Car wash.
- (G) Contractor Service Establishment, pursuant to Section 5-662.-
- (H) Distribution Facility.
- (I) Heliport or helistop.

~~(J) Kennel, indoor, pursuant to Section 5-606.~~

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~~(K)(J)~~ Motor vehicle rental.

~~(L)(K)~~ Motor vehicle sales.

~~(M)(L)~~ Motor vehicle service and repair, light.

~~(N) Museum or Exhibition Facility.~~

~~(O)(M)~~ Personal service establishment.

~~(P)(N)~~ Private club or lodge.

~~(Q)(O)~~ Public utility service, with outdoor storage.

~~(R)(P)~~ Radio, radar and/or television tower.

~~(S)(Q)~~ Restaurant, including fast-food, with drive-through.

~~(T)(R)~~ Retail sales establishment.

~~(U)(S)~~ Sewage treatment plant.

~~(V)(T)~~ Telecommunications monopole, pursuant to Section 5-618(B)(2).

~~(W)(U)~~ Telecommunications tower, pursuant to Section 5-618(C)(2).

~~(X)(V)~~ Utility substation, transmission, pursuant to Section 5-616.

~~(Y)(W)~~ Utility transmission lines, overhead.

~~(Z)(X)~~ Water storage tank.

(Y) Water treatment plant.

(Z) Library.

(AA) Banquet/Event Facility, in excess of 25,000 sq. ft. and no direct access to Route 50.

### 3-905

#### Lot Requirements.

(A) **Size.** Two (2) acres minimum.

(B) **Width.** 200 feet minimum.

(C) **Depth.** 200 feet minimum.

(D) **Yards.**

(1) **Adjacent to Roads.** Except where a greater setback is required by Section 5-900, thirty five (35) feet for building; twenty five (25) feet for parking.

(2) **Adjacent to Parcel Boundaries.**

(a) **With Other Nonresidential Districts.** ~~Fifteen (15)~~ **25** feet minimum, ~~for~~ buildings, ~~10 feet minimum,~~ parking ~~lot,~~ outdoor storage, and loading ~~unloading~~ areas, and areas for the collection or storage of refuse, ~~except where a greater area is required by Section 5-1400.~~ In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard requirement shall be applied only at the property line and not at the zoning district line. The Zoning Administrator may waive the parking lot yard requirement when necessary to permit shared parking and access arrangements between uses on individual parcels.

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(b) **With Residential Districts.** ~~Twenty-five (25)~~ **25** feet minimum. No building, parking lots, loading/unloading areas, outdoor storage, or areas for the collection or storage of refuse shall be permitted in any required yard adjacent to a residential zoning district.

**3-906**

**Building Requirements.**

(A) **Lot Coverage.** 45 percent maximum; up to .60 maximum by Special Exception.

(B) **Building Height.** ~~45~~ Sixty (60) feet maximum. The maximum building height may be increased provided that one (1) foot is added to each of the required yard setbacks for each additional one (1) foot of building height up to a maximum of ~~(55)~~ one hundred (100) feet total height. Additional height limitations for areas or building sites or lots directly under an airport runway flight path may be imposed in accordance with applicable Federal Aviation Administration regulations.

(C) **Base Floor Area Ratio.** ~~0.30~~ .40 maximum.

(D) **Adjusted Base Floor Area Ratio** (FAR).

(1) The base floor area ratio in the CLI district may be increased on certain parcels by approval of the Zoning Administrator, upon demonstration of one or more of the following:

(a) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any portion of such properties is located ~~or portions of properties located~~ within 600 feet of the right-of-way of Route 50 ~~of the right of way of a road in the primary system of state highways (as defined in Section 33.1-25 of the Code of Virginia, 1950 as amended)~~ if:

(i) Such properties are not located at an existing median break of such road; and

(ii) The owner(s) of such properties permanently relinquish direct access to Route 50 ~~such road~~; and

(iii) The owner(s) of such properties form shared access agreements with the owner(s) of adjoining properties that enable controlled access to such road for multiple uses. Such shared access agreements shall remain in effect in perpetuity or until future public road improvements provide alternative access to the subject parcels that alleviates the need for the original shared access agreement. The shared access agreement shall be depicted on the site plan(s) for the subject parcels and shall include all infrastructure improvements necessary to enable the safe and efficient access of each parcel as determined by the Department of Transportation Services and VDOT.

(b) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any ~~or portions of such~~ properties is located within 600 feet of the right-of-way of a road in the primary system of state highways (as defined in Section 33.1-25 of the Code of Virginia, 1950 as amended) Route 50 if the owner(s) of such properties file a unified plan for development ~~consolidates such properties for~~

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~~development purposes with a contiguous parcels of~~  
land which, when combined, total at least 20 acres.  
For the purposes of this Section, a unified plan shall  
mean: (1) development involving multiple parcels  
that is approved with a single site plan application  
and (2) all parcels subject to the unified plan shall  
share no more than one point of access onto Route  
50. Single entity ownership is not required, but a  
single commercial owners association shall be  
formed as evidenced by a Deed of Declaration and  
Covenants that sets forth maintenance, design  
standards, etc.

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- (c) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any ~~or portions of such properties is~~ located within 600 feet of the right-of-way of Route 50—a road in the primary system of state highways (as defined in Section 33.1-25 of the Code of Virginia, 1950 as amended)— if the owner(s) of such properties maintains a parking setback of 150 feet and a building setback of 300 ft. along the road from the right-of-way of Route 50.

- (2) The density increase can be granted singly or cumulatively, up to a maximum of .60 FAR.

### 3-907

**Performance Criteria.** The purpose of the following sections is to achieve a design whereby buildings are located, oriented and designed to respect the natural landscape, principles of energy conservation, relationships to surrounding properties and buildings, views from major arterials, site access and circulation needs, and the desired overall character of the district as a principal gateway into Loudoun County.

- (A) **Transportation Design.** Transportation elements shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic at intersections with traffic controls such as traffic lights, stop signs or traffic calming features. Left-turn storage and right turn lanes and/or traffic dividers shall be required where existing or anticipated heavy flows indicate need. In general, minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by substantial amounts of through traffic. To the maximum extent feasible, land development applications shall identify opportunities and methods for shared access and inter-parcel linkages.

- (B) **Buffering and Screening.** Yards, berms, vegetative screening, fences, or walls shall be provided to buffer residential districts and public streets from uses allowed in this district. In particular, outdoor storage, off-street parking areas and service areas for loading and unloading and for storage and collection of materials, supplies, and/or refuse and garbage, shall be screened so that such areas are not visible from any public right-of-way and/or residential use. Areas for the collection and storage of refuse and outdoor storage areas shall be fully enclosed by a structure composed of opaque materials. Such materials shall be compatible with those used in the exterior construction of the principal building.
- (C) **Landscaped Open Space.** Minimum landscaped open space on any individual lot shall not be less than .10 times the buildable area of the lot.
- (D) **Off-Street Parking and Loading Facilities.** All off-street parking spaces shall be within 500 feet by safe and convenient pedestrian routes of entrances to the buildings the parking spaces are intended to serve. No off-street parking or loading facilities shall be located in required landscaped yards. Off-street parking areas shall, to the maximum extent feasible, be located to the rear of the buildings.
- (E) **Accessory Uses.** The following accessory uses shall be permitted in the district:
- (1) Warehousing, indoor storage and distribution associated with a permitted use, but excluding the bulk storage of gasoline, petroleum products, natural gas and chemicals.
  - (2) Retail sales and personal service uses for permitted and/or special exception uses, not to exceed twenty-five percent (25%) of the floor space of the principal use of the building.
  - (3) Outdoor storage for permitted and/or special exception uses, not to exceed twenty-five percent (25%) of the gross lot area. No storage of any kind shall be permitted within any required yard.
  - (4) Restaurant and restaurant carry-out.
- (F) **Access Limitation for Certain Uses.** For the uses listed in Section 3-903 as being pursuant to this section and all uses listed in Section 3-904, such uses shall be permitted to have direct access to



Route 50 (i) only if the property owner can demonstrate that the subject property does not have legal access to any public road other than Route 50 and does have legal access to the location of a planned Route 50 Parallel Road, as shown on the Countywide Transportation Plan (CTP), as amended, and (ii) provided that such access, if permitted, shall be limited to right-turn-in and right-turn-out entrances to and from Route 50 only as approved by VDOT. Prior to approval of a site plan for these uses, property owners must execute and record an instrument, in form as reviewed and approved by the County, which obligates such owner and successors to relinquish all such direct access rights and close off all direct access to Route 50, at no cost to the County or VDOT, or permit the County or VDOT to close off all direct access without compensation, when alternative access to the site becomes available via public or private street adjacent to the owner's parcel or via other means, such as an available private access easement that provides access to any such public or private street.

(G) **Vehicular Access and Circulation.** Primary access and through vehicular traffic impacting residential neighborhoods shall be avoided. Minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by through and construction traffic.

(H) **Pedestrian Access and Circulation.** Pedestrian ways shall be incorporated into each development so as to minimize conflicts with vehicular traffic and to enable safe and convenient pedestrian access to all buildings, parking and other facilities. Pedestrian ways shall be extended to adjacent properties and shall connect uses within individual developments. Land development applications shall delineate the on-site pedestrian system and provide connections to such systems in adjacent developments as well as public networks, if applicable.

(I) **Utility Requirements.** All new utility distribution lines in the CLI district shall be placed underground.

(J) **Prohibited Uses.** The ~~following~~following manufacturing uses shall not be permitted:

~~(1) Alcoholic beverage manufacturing.~~

~~(2) Ammonia, bleaching powder or chlorine manufacture.~~

~~(3) Blast furnace.~~

~~(4) Boiler works.~~

~~(5) Chemicals and acid manufacture or storage.~~

~~(6)~~(1) Distillation of coal, wood or bones.

~~(7) Distillation of turpentine or varnish.~~

~~(8) Dye works.~~

~~(9) Emery cloth manufacture.~~

~~(10)~~(2) Fertilizer manufacture.

~~(11)~~(3) Fireworks.

~~(12) Fish canning, curing, grinding or smoking.~~

~~(13)~~(4) Garbage incineration other than in municipal plants.

~~(14) Glue, size or gelatin manufacture.~~

~~(15) Grinding, cooking, boiling, rendering or storing of slaughter house refuse, animal refuse, rancid fats or refuse of dead animals.~~

~~(16) Iron, steel or copper works, foundries or smelting facilities.~~

~~(17) Lime, cement, concrete gypsum, plaster of paris or mortar manufacture.~~

~~(18)~~(5) Mixing or batching plants for asphalt, concrete, brick or other paving and construction materials.

~~(19)~~(6) Petroleum, alcohol or asphalt refining, mixing or manufacture or storage.

~~(20) Pyroxylin or celluloid manufacture.~~

~~(21) Pulverizing of charcoal or coal.~~

~~(22) Soap manufacture.~~

~~(23) Stockyards.~~

~~(24) Tanning, curing or storing of raw hides or skins.~~

~~(25) Tetra-ethyl lead precipitate liquid manufacture.~~

~~(26) Vinegar manufacture.~~

~~(27) Wool pulling and scouring.~~

~~(28)(7)~~ Material recovery facility.

~~(29)(8)~~ Any other use similar to the above excepted uses which is likely to be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other causes.

(K) **Uniform Landscaping for Front Yard Areas Adjacent to a Primary Highway Route 50.**

(1) All parcels with frontage on Route 50 a primary highway (as defined in Section 33.1-25 of the Code of Virginia, 1950 as amended) shall include landscaping in accordance with the Type 5 Buffer Yard in Section 5-1414(B)(1).

(L) **Compatibility.** Architectural treatment of buildings, to include materials, color, and style, shall be compatible with buildings located within the same project. Compatibility may be achieved through the use of similar building massing, scale, materials, colors, and other architectural features. For the purposes of this section, a project is defined as a development that is planned, developed or managed as a unit.

(M) **Building Orientation.** The front façade and principal public entrance of all buildings shall be oriented toward an adjacent public street.

~~(N)~~ **Screening of Mechanical Equipment.** Mechanical equipment, whether ground level or rooftop, shall be in accordance with Buffer Yard Type 3, screened from view from adjacent properties and public rights-of-way and designed to be perceived as an integral part of the principal building. For the purposes of this section, mechanical equipment shall include, but not be limited to, satellite dishes, exhaust fans, HVAC equipment, and roof access ladders. In cases where parapets are used to screen rooftop equipment, the maximum height of the parapet shall be equal to the top of the highest mechanical unit but shall not exceed the maximum height allowed in the district by more than 3 feet.

~~(O)~~ **Auxiliary Uses.** The following uses shall be permitted on a stand-alone basis, if they are auxiliary to the district and are developed as part of a unified development plan, in accordance with Section 3-906(D)(1)(b), that contains at least one of the following uses: (i) Establishment for assembly, fabrication, processing, production and/or manufacturing of goods or products; (ii) Flex-industrial uses; (iii) Office; (iv) Research, experimental, testing or

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development activities; (v) Educational institution; (vi)  
Hotel/motel;

(1) Restaurant, including fast food with drive-through.

(2) Convenience food store.

(3) Bank or financial institution pursuant to Section 5-659.

~~(N)~~ (4) Personal service establishments.

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